

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS FOR TRANSFORMING PLANTS

the specification of which (check one)

☐ is attached hereto.

☒ was filed on December 8, 1998 as Application Serial No. 09/206,852 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application or to the patentability of the invention claimed therein in accordance with Title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claim</u>	
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)*	Yes	No
_____	_____	_____	_____	_____

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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATIONS

(application serial number)

(Month / Day / Year filed)

(application serial number)

(Month / Day / Year filed)

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint DeAnn F. Smith, Reg. No. 36,683, and each principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

Full name of sole or first inventor: Richard F. Allison

Inventor's signature: Richard F. Allison

Date: 10 March 99

Residence: 1211 Plains Road, Leslie, Michigan 49251

Citizenship: United States Of America

Post Office Address: 1211 Plains Road, Leslie, Michigan 49251

DECLARATION AND POWER OF ATTORNEY

Full name of second joint inventor, if any: Jeanne Ohrnberger

Second Inventor's signature: 

Date: 3/11/99

Residence: 493 North Point Drive, Whitmore Lake, Michigan 48189

Citizenship: United States Of America

Post Office Address: 493 North Point Drive, Whitmore Lake, Michigan 48189

Full name of third joint inventor, if any: Rafaz Hoque

Third Inventor's signature: _____

Date: _____

Residence: 158 Scarlett Drive, Commack, New York 11725

Citizenship: United States Of America

Post Office Address: 158 Scarlett Drive, Commack, New York 11725

Full name of fourth joint inventor, if any: Mark Desrosiers

Fourth Inventor's signature: _____

Date: _____

Residence: 204 Tahoma Road, Lexington, Kentucky 40503-2021

Citizenship: United States Of America

Post Office Address: 204 Tahoma Road, Lexington, Kentucky 40503-2021

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Full name of sole or first inventor: Richard F. Allison

Inventor's signature: _____

Date: _____

Residence: 1211 Plains Road, Leslie, Michigan 49251

Citizenship: United States Of America

Post Office Address: 1211 Plains Road, Leslie, Michigan 49251

DECLARATION AND POWER OF ATTORNEY

Full name of second joint inventor, if any: Jeanne Ohrnberger

Second Inventor's signature: _____

Date: _____

Residence: 493 North Point Drive, Whitmore Lake, Michigan 48189

Citizenship: United States Of America

Post Office Address: 493 North Point Drive, Whitmore Lake, Michigan 48189

Full name of third joint inventor, if any: Rafaz Hoque

Third Inventor's signature: _____

Date: _____

Residence: Apt. 7N, 420 East 70th Street, New York, New York 10021

Citizenship: United States Of America

Post Office Address: Apt. 7N, 420 East 70th Street, New York, New York 10021

Full name of fourth joint inventor, if any: Mark Desrosiers

Fourth Inventor's signature: Mark F. Desrosiere

Date: Feb 5, 1999

Residence: 204 Tahoma Road, Lexington, Kentucky 40503-2021

Citizenship: United States Of America

Post Office Address: 204 Tahoma Road, Lexington, Kentucky 40503-2021



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I hereby appoint DeAnn F. Smith, Reg. No. 36,683, and each principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

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Inventor's signature: _____

Date: _____

Residence: 1211 Plains Road, Leslie, Michigan 49251

Citizenship: United States Of America

Post Office Address: 1211 Plains Road, Leslie, Michigan 49251

DECLARATION AND POWER OF ATTORNEY

Full name of second joint inventor, if any: Jeanne Ohrnberger

Second Inventor's signature: _____

Date: _____

Residence: 493 North Point Drive, Whitmore Lake, Michigan 48189

Citizenship: United States Of America

Post Office Address: 493 North Point Drive, Whitmore Lake, Michigan 48189

Full name of third joint inventor, if any: Rafaz Hoque

Third Inventor's signature: Rafaz Hoque

Date: 1/29/99

Residence: Apt. 7N, 420 East 70th Street, New York, New York 10021

Citizenship: United States Of America

Post Office Address: Apt. 7N, 420 East 70th Street, New York, New York 10021

Full name of fourth joint inventor, if any: Mark Desrosiers

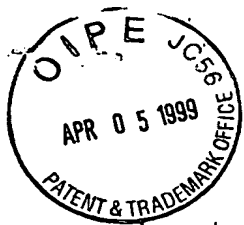
Fourth Inventor's signature: _____

Date: _____

Residence: 204 Tahoma Road, Lexington, Kentucky 40503-2021

Citizenship: United States Of America

Post Office Address: 204 Tahoma Road, Lexington, Kentucky 40503-2021



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) or Patentee: Richard F. Allison, Jeanne Ohrnberger, Rafaz Hoque and Mark Desrosiers
Serial or Patent No.: 09/206,852
Filed or Issued: December 8, 1998
For: Methods For Transforming Plants

Attorney Docket No.: 6550-000028

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Board of Trustees operating Michigan State University
ADDRESS OF ORGANIZATION: East Lansing, Michigan 48824

TYPE OF ORGANIZATION:

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America

(Name of state: _____)

(Citation of statute: _____)

- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America

(Name of state: _____)

(Citation of statute: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

METHODS FOR TRANSFORMING PLANTS

by inventor(s) Richard F. Allison, Jeanne Ohrnberger, Rafaz Hoque and Mark Desrosiers described in

- ☐ the specification filed herewith
☒ application serial no. 09/206,852, filed December 8, 1998
☐ patentno. _____ issued _____

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME: _____

ADDRESS: _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Fred L. Poston

Title in Organization: Interim VP for Finance & Operations and Treasurer

Address of Person Signing: Michigan State University
East Lansing, Michigan 48824

Signature:  Date: 3-17-99